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Attorney for Defendant
FRANCISCO JAVIER HERNANDEZ-GUTIERREZ

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No. 08cr0207-BEN
)	
Plaintiff,)	NOTICE OF MOTION
)	AND
v.)	MOTION FOR DISCOVERY
)	
FRANCISCO JAVIER HERNANDEZ-)	
GUTIERREZ,)	Date: 3/10/08
)	Time: 2:00 p.m.
Defendant.)	Court: Judge BENITEZ
_____)	

TO: KAREN P. HEWITT, U.S. Attorney and to
CHRISTINA MCCALL, Assistant U.S. Attorney

PLEASE TAKE NOTICE that on March 10, 2008 at 2:00 p.m. or
as soon thereafter as counsel can be heard, in the courtroom of
the Honorable ROGR T. BENITEZ, United States Courthouse, 940
Front Street, San Diego, California, defendant, Francisco Javier
HERNANDEZ-Gutierrez by and through his attorney, FRANK M.
MURPHY, III, will move the court for an order for discovery in

1 the above-entitled matter as set forth in detail in the attached
2 Statement of Facts and Memorandum of Points and Authorities.

3 This motion will be made pursuant to *Federal Rules of*
4 *Criminal Procedure 12 and 16* and will be based upon the files
5 and records in this case, this Notice of Motion and Motion
6 together with the accompanying Memorandum of Points and
7 Authorities and on such oral and documentary evidence as may be
8 presented at the hearing thereof.
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10 Dated: February 21, 2008
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13 s/FRANK M. MURPHY, III
14 Attorney for Defendant
E-mail: fmlaw@san.rr.com
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17 **MOTION**

18 Defendant, Francisco Javier HERNANDEZ-Gutierrez, by and
19 through his attorney, FRANK M. MURPHY, III, hereby moves the
20 court for an order for discovery as set forth in the
21 accompanying Memorandum of Points and Authorities.
22

23 The motions are made pursuant to *Federal Rules of Criminal*
24 *Procedure 12 and 16*.

25 The motions are based upon this Notice of Motion, the
26 accompanying Statement of Facts and Memorandum of Points and
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/ / / / /

1 Authorities, the files and records in this matter and on any
2 other oral or documentary evidence which may be produced before
3 of during the hearing of said motions.
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5 Dated: February 21, 2008
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7 Respectfully submitted,
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10 s/FRANK M. MURPHY, III
11 Attorney for Defendant
E-mail: fmlaw@san.rr.com
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